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C O N F I D E N T I A L SECTION 01 OF 03 KUWAIT 000948

SIPDIS

NEA/ARP, NEA/RA, S/CT, AND INL/PC

E.O. 12958: DECL: 09/30/2019  
TAGS: [PREL](#) [PTER](#) [PGOV](#) [PINR](#) [KU](#)  
SUBJECT: PROMINENT MP DRAFTS NATIONAL UNITY LAW, CALLS FOR  
SUPPORT FOR GOK PLANS

REF: A. KUWAIT 925  
[1](#)B. KUWAIT 244

Classified By: Political Counselor Pete O'Donohue for reasons 1.4 b and  
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[1](#)1. (U) This is an action message - see para. 9.

Summary:  
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[1](#)2. (C) In a rare, but cogent unification strategy to counter the increasingly disruptive influence of tribalists in parliament, prominent moderate MP and Foreign Relations Chair Marzouq Al-Ghanem is re-forming the defunct National Action Bloc (NAB). As of September 27, the bloc reportedly has four members; Al-Ghanem will likely look to Shi'a MPs to boost his numbers. Al-Ghanem also shared with poloff a draft national unity bill that he intends to submit for passage. The bill, designed to criminalize the incitement of hatred and factionalism, might also provide the GOK a tool with which to inhibit tribalist and Islamist attacks on those who don't share their conservative agenda. Al-Ghanem demonstrated a receptivity to either expanding the language of this bill to include incitement of terror, or to drafting stand alone CT legislation; we should build upon this willingness, and recent discussions between the UN and Parliament Speaker Khorafi regarding training for legislators, to see what role the UN (and particularly UNODC) could be encouraged to play in pressing our CT legislation agenda. End summary.

Bleak Outlook for Parliamentary-Cabinet Cooperation  
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[1](#)3. (C) Foreign Affairs Committee Chairman (and nephew of Speaker Jassem al-Khorafi) MP Marzouq Al-Ghanem expressed to Poloff September 17 his bleak outlook for cooperation between the National Assembly and the cabinet when parliament re-convenes on October 27. He predicted continued strife and believed that little would be achieved in the upcoming legislative session. He harshly criticized intransigent individual MPs who "didn't even deserve to be Kuwaiti citizens" for keeping the GOK off balance, hijacking useful debate, and promoting self-serving (vice national) agendas. He also castigated the GOK for its weakness and repeated failure to exert itself.

Grabbing the GOK Bull by the Horns  
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[1](#)4. (C) Lamenting that the GOK does not avail of its practically guaranteed majority votes (16 ministers -- ex officio MPs -- plus a number of "service" deputies who reliably vote with the GOK) in the 66 member parliament to

push legislation through, Al-Ghanem said he would "help the government along" with a strategic plan for ensuring GOK voting majorities on key legislation. More idealistic than his "service" counterparts, Al-Ghanem hopes to enlist a small cadre of like-minded "principled" deputies to re-form and revivify the long dormant National Action Bloc (NAB) and then press the GOK to develop realistic plans -- as opposed to the "fantasy" programs concocted by the GOK in the past. On September 27, press reports indicated that Sunni liberal MPs Saleh Al-Mullah, Ali Al-Rashed, Abdulrahman Al-Anjari and Dr. Aseel Al-Awadhi already have joined the new NAB; Al-Ghanem hopes to extend the number to nine, including Shi'a MPs. Once at full strength, Al-Ghanem speculated, the bloc would be able to deliver to the GOK requisite majority votes in support of the government's yet-to-be-defined agenda.

Democracy Lite  
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15. (C) A disillusioned Al-Ghanem described Kuwait's democracy as a "joke" and noted his frustration with the parliamentary system; most MPs exploit the automatic access they receive from the GOK and ruling family to obtain "mo'amilat" (Arabic for "deals") for their constituents. He disdainfully characterized service deputies as those who simply compile lists for favors (job or school transfers for children, healthcare abroad, etc.) desired by constituents and present them to the GOK's various relevant ministries for "servicing." These service deputies in turn support the GOK to a degree commensurate with the number of favors granted.

Kuwaiti Democracy: Shouting from the Hip

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16. (C) Echoing the Amir's calls for national unity and his disenchantment with Islamist and tribal elements, Al-Ghanem said he will push for the passage of his National Unity bill when Parliament convenes in October. This bill -- which he insisted will pass -- will criminalize persons inciting hatred or factionalism. Given that conservative elements have sometimes labeled their more moderate brethren as takfir (Arabic for apostate), the draft text is clearly targeted at tribal Islamists and rabblers like MP Mohammed Hayef Al-Mutairi (Al-Ghanem cited Mutairi by name as an MP who didn't deserve to be Kuwaiti) and other "newcomer" tribalists whose loyalties -- according to Al-Ghanem -- are to tribe and sect rather than to Kuwait. "Democracy is a gun," he analogized; it should be used in the defense of Kuwait, but Islamists like Al-Mutairi are using it to promote tribal agendas which "threaten the very heart of the country."

Begin Text of Draft Bill on Protection of National Unity:

Without prejudice to any stricter penalty stipulated in another law, he who exposes the national unity to danger, by inciting, or calling for hatred, disdain, humiliation or contempt towards any of the categories of the society by any means of expression stipulated in article 29 of the law No. 31 of the year 1970, shall be punished by imprisonment of a period not exceeding two years and a fine not exceeding KD 20 thousand or one of the two penalties. End Text.

Expanding Legislation to Cover CT?  
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17. (C) Al-Ghanem appeared receptive to expanding his draft bill to cover incitement of terrorism or to drafting stand alone CT legislation; he did not attempt to hide his zeal to use such legislation as a stick with which to beat the Islamists in Parliament. He also expressed interest in participating in workshops or meetings with US legislators to discuss CT legislation. (Note: On the heels of a recent meeting between Kuwaiti Parliament Speaker Jassem Al-Khorafi and UNDP interim regional delegate Salah Bourjini to discuss

training opportunities for parliamentary staff, DCM on September 15 pressed Bourjini to include UNODC training for parliamentarians and their staff on acknowledging and implementing national responsibilities relative to UN Conventions on terrorism. End note). Al-Ghanem suggested that, given Kuwait's current sectarian climate, the best way forward to strengthen CT measures is for Kuwait to update its existing anti-terrorism agreements with the GCC, Arab League and the OIC. He said that these agreements are currently with MFA for review and updating. Once the details are finalized, they will be submitted for parliamentary approval; he was optimistic the agreements will be approved.

Comment and Bio Note:  
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18. (C) Al-Ghanem's upbeat assessment of the chances for additional CT legislation to pass strikes us as at minimum highly optimistic, but perhaps understandable given his background and liberal political leanings. Al-Ghanem (University of Arizona alumnus) hails from a wealthy Sunni "Hadhar" (Arabic - city dweller) merchant family that settled in Kuwait 300 years ago, alongside the Al Sabah ruling family. Such a distinction, as we hear regularly from our interlocutors, liberals and conservatives alike, places him at odds with the "newcomers," the bedouins who only took on Kuwaiti identity in the early 20th century. Self-styled progressives like Al-Ghanem resent that the bedouin maintain tribal vice national loyalties (reftels), that all of the twenty MPs from Kuwait's fourth and fifth constituencies (voting districts) hail from prominent tribes, and that the GOK has frequently leveraged these tribal service deputies against the Hadhar when expedient. In response, Al-Ghanem and his Sunni Hadhar allies are now being forced to reach across the "other aisle" to enlist support from the "enemy of his enemy" the Shi'a -- now nine strong in the National Assembly. Al-Ghanem's pedigree -- his father is the Chairman of the Kuwait Chamber of Commerce and Industry, his mother was the first Arab woman to serve as President of Kuwait University -- and his popularity -- he was the top vote-winner in the second constituency -- bolster his steadily increasing influence in Kuwaiti political life. End note.

Action Request

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19. (SBU) Post would welcome available information regarding the availability/possibility/efficacy of UN-led training programs for legislators on national obligations resulting from CT Conventions and binding CT-related Chapter Seven resolutions. We believe such training, if available from the UN, could advance our agenda to promote development of more comprehensive CT and CT financing legislation in Kuwait.

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JONES